



IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

218

CRM-M-20073-2025 (O&M)  
Date of Decision:- 19.05.2025

SURINDER SINGH MATHARU

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE SANJIV BERRY**

Present : Mr. Deepak Aggarwal, Advocate for the petitioner.  
Mr. K.D. Sachdeva, DAG Punjab.

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**SANJIV BERRY, J. (ORAL)**

1. Status report dated 18.05.2025 filed in the form of an affidavit of Deputy Superintendent of Police, City-1, Bathinda, is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. Arguments heard.
3. By way of present petition filed under Section 482 Bharatiya Nagarik Suraksha Sanhita, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

| FIR No. | Dated      | Sections                   | Police Station             |
|---------|------------|----------------------------|----------------------------|
| 37      | 17.03.2025 | 105 BNS;<br>21 of NDPS Act | Kotwali, District Bathinda |

4. It is *inter alia* contended by learned counsel for the petitioner



that the petitioner is innocent and has been falsely implicated in the case. He contends that the petitioner is not named in the FIR but has been nominated on the allegations that he had supplied heroin to co-accused Rahul Kumar for being administered to the deceased. He submits that the petitioner is ready to join investigation and has prayed for grant of anticipatory bail to the petitioner.

5. *Per contra*, learned State counsel while referring to the status report submitted by State has opposed the petition on the ground that the petitioner is having 5 other cases registered against him under the NDPS Act and had been supplying the narcotics. As per the case of prosecution, the petitioner had supplied the heroin to co-accused Rahul Kumar for being administered to the deceased. Hence, the custodial interrogation of the petitioner is required to unearth the supply chain and *modus operandi*, as such, prayed for dismissal of the bail petition.

6. After considering the rival contentions and going through the record, it is observed that the instant FIR was registered on the complaint of Gurdev Kaur to the effect that her younger brother used to run an auto rickshaw and on 13.03.2025 after coming back home, he left the house and at about 05:00 PM her brother was found lying near a vacant space near Gurudwara Sahib Nanakpura. He was shifted to the hospital where he was declared dead. It was stated by her that she had suspicion upon co-accused Rahul Kumar to have administered heroin to him leading to his death. She further suspected that the petitioner along with other co-accused had been supplying heroin to Rahul Kumar, who had administered excess dose to her



brother leading to his death. Accordingly, FIR was registered.

7. The petitioner is alleged to have supplied the heroin to the co-accused, who had administered the same in excess to the deceased. The complainant had suspected the role of the petitioner in the occurrence in supplying the heroin. The petitioner is having 5 more cases registered under the NDPS Act, although in 2 of the cases he has been acquitted.

8. Therefore, considering the facts and circumstances of the case, it is observed that the custodial interrogation of the petitioner is required to unearth the supply chain and also the *modus operandi* adopted by the accused. As a consequence, the present petition is hereby dismissed.

9. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

**(SANJIV BERRY)**  
**JUDGE**

**19.05.2025**

*S.Sharma(syr)*

|     |                            |        |
|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |